

STATE OF SOUTH CAROLINA

(Caption of Case)

Leslie and Mark Hendrix,

Complainant/Petitioner

v.

Utilities Services of South Carolina, Inc.

Defendant/Respondent.

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009 - 102 - W

(Please type or print)

Submitted by: John M. S. Hoefer

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input checked="" type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

**WILLOUGHBY & HOEFER, P.A.**

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ANDREW J. MACLEOD

\*ALSO ADMITTED IN TX

July 13, 2009

AREA CODE 803  
TELEPHONE 252-3300  
TELECOPIER 256-8062

TRACEY C. GREEN  
ALAN WILSON  
SPECIAL COUNSEL

RECEIVED  
2009 JUL 13 11:35  
PUBLIC SERVICE  
COMMISSION

**VIA HAND DELIVERY**

The Honorable Charles L.A. Terreni  
Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
Post Office Box 11649  
Columbia, South Carolina 29211

RE: Leslie and Mark Hendrix, Complainant/Petitioner v. Utilities Services of South Carolina, Inc., Defendant/ Respondent. Docket No.: 2009-102-W

Dear Mr. Terreni:

By letter dated May 22, 2009, the Staff of the Public Service Commission of South Carolina ("Commission") established prefilng dates for testimony of the parties in the above-referenced matter. Therein, Staff required the Defendant/Respondent, Utilities Services of South Carolina, Inc. ("USSC" or "the Company"), to prefile its direct testimony on July 6, 2009 and permitted the testimony to be postmarked on this date. Due to a request for an extension made by the Complainant/Petitioner to the Hearing Officer appointed in this matter, the deadline for the prefilng of USSC's direct testimony was subsequently extended to July 7, 2009. *See* Hearing Officer Directive dated June 25, 2009.

In accordance therewith, USSC prefled with the Commission the direct and conditional testimony of Bruce T. Haas in this matter by depositing the same with the United States Postal Service on July 7, 2009. While the staff member who assisted with the filing of this testimony is out of the office today, it is my understanding that proper and sufficient metered postage was affixed to the package. It is unclear whether the postage label became dislodged during the mailing process; however, this morning, the U.S. Postal Service returned the package, the original of which I am enclosing herein, to our offices due to insufficient postage. While counsel for USSC is examining this matter further, due to these unexpected circumstances, USSC would respectfully request that the Commission accept this testimony for filing in this matter and grant the Company an extension in time inasmuch as it attempted to faithfully comply with the Commission's instructions in this regard. USSC submits that no party will be prejudiced by such an acceptance in that each party of record was timely served with a copy of USSC's direct testimony. Nevertheless, USSC would, of course, consent to a commensurate one week

The Honorable Charles L.A. Terreni  
July 13, 2009  
Page 2

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extension to the established deadlines for prefiled rebuttal and surrebuttal testimony in this matter.

By copy of this letter, I am serving a copy of these documents upon all parties of record and enclose a Certificate of Service to that effect. I would appreciate your acknowledging receipt of these documents by date-stamping the extra copies that are enclosed and returning them to me via our courier.

I apologize for any inconvenience this may have caused and appreciate your assistance with this matter. If you have any questions, or if you need any additional information, please do not hesitate to contact me.

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**



Benjamin P. Mustian

BPM/cf  
Enclosures

cc: Jeffrey M. Nelson, Esquire  
Leslie and Mark Hendrix

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2009-102-W**

RECEIVED  
2009 JUL 13 PM 11:36  
SC PUBLIC SERVICE  
COMMISSION

IN RE:

Leslie and Mark Hendrix,  
Complainant/Petitioner

v.


Utilities Services of South Carolina, Inc.,  
Defendant/Respondent

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of Defendant's **letter dated July 13, 2009** in the above-referenced action by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Leslie and Mark Hendrix  
125 Dutch Point Road  
Chapin, SC 29036

Jeffrey M. Nelson, Esquire  
**Office of Regulatory Staff**  
Post Office Box 11263  
Columbia, South Carolina 29211

  
Cindy C. Mills

Columbia, South Carolina  
This 13<sup>th</sup> day of July, 2009.